



Reprinted
April 12, 2001

ENGROSSED SENATE BILL No. 226

DIGEST OF SB 226 (Updated April 11, 2001 3:50 PM - DI 69)

Citations Affected: IC 13-19.

Synopsis: Regulation of steel making slag and foundry slag. Prohibits the solid waste management board from adopting rules to define or regulate slag generated by the production of iron or steel under certain conditions. Prohibits the board from adopting rules to regulate the reuses of foundry slag under certain conditions.

Effective: July 1, 2001.

Gard, Riegsecker

(HOUSE SPONSORS — WEINZAPFEL, WOLKINS)

January 9, 2001, read first time and referred to Committee on Environmental Affairs.
February 13, 2001, amended, reported favorably — Do Pass.
February 19, 2001, read second time, ordered engrossed. Engrossed.
February 20, 2001, read third time, passed. Yeas 46, nays 0.

HOUSE ACTION

February 26, 2001, read first time and referred to Committee on Environmental Affairs.
April 5, 2001, amended, reported — Do Pass.
April 11, 2001, read second time, amended, ordered engrossed.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

ENGROSSED SENATE BILL No. 226

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 13-19-3-8 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2001]: **Sec. 8. The board may not adopt rules under section 1 of**
4 **this chapter to define or regulate the following activities involving**
5 **the legitimate use of slag generated by the production of iron or**
6 **steel under Bureau of the Census Standard Industrial**
7 **Classification 3295 or 3312 if the slag is stored in a manner that**
8 **complies with all applicable environmental laws concerning**
9 **surface water runoff and fugitive dust:**
10 (1) **Production of slag.**
11 (2) **Transportation of slag.**
12 (3) **Storage of slag.**
13 (4) **Processing of slag.**
14 (5) **Any other legitimate use of slag.**
15 SECTION 2. IC 13-19-3-9 IS ADDED TO THE INDIANA CODE
16 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
17 1, 2001]: **Sec. 9. (a) The board may not adopt rules after July 1,**

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2001, under section 1 of this chapter to regulate any of the following legitimate reuses of foundry slag under the conditions of this section:

(1) Structural fill in the following:

- (A) Road base.
- (B) Road shoulders.
- (C) Parking lots.
- (D) Floor slabs.
- (E) Utility trenches.
- (F) Bridge abutments.
- (G) Tombs and vaults.
- (H) Construction or architectural fill.
- (I) Railroad ballast.
- (J) Unpaved roads, driveways, or walkways.
- (K) Recreational trails.
- (L) Berms.
- (M) Construction base material.

(2) Snow and ice abrasive.

(3) A raw material in manufacturing iron, steel, glass, concrete, cement, brick, asphalt, mineral wool, or other products.

(4) Other legitimate uses approved by the commissioner.

(b) To be used as described in subsection (a), slag must:

- (1) not be a hazardous waste (as defined in IC 13-11-2-99(b));
- (2) meet the appropriate engineering specifications required for the use;
- (3) except for a use described in subsection (a)(3), meet Type III criteria under 329 IAC 10-9, except that:
 - (A) the requirement for measurement of pH is not included in the testing; and
 - (B) the Synthetic Precipitation Leaching Procedure may be used as an alternative method; and
- (4) be stored in a manner that complies with all applicable environmental laws and rules concerning:
 - (A) surface water runoff; and
 - (B) fugitive dust.



SENATE MOTION

Mr. President: I move that Senator Riegsecker be added as coauthor of Senate Bill 226.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 226, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to SB 226 as introduced.)

GARD, Chairperson

Committee Vote: Yeas 7, Nays 1.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred Senate Bill 226, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 1, delete "IC 13-19-3-3.5" and insert "IC 13-19-3-8".

Page 1, line 3, delete "Sec. 3.5." and insert "**Sec. 8.**".

Page 1, line 4, after "regulate" insert "**the following activities involving the legitimate use of**".

Page 1, line 5, delete "as a solid waste." and insert "**under Bureau of the Census Standard Industrial Classification 3295 or 3312 if the slag is stored in a manner that complies with all applicable environmental laws concerning surface water runoff and fugitive dust:**

- (1) **Production of slag.**
- (2) **Transportation of slag.**
- (3) **Storage of slag.**
- (4) **Processing of slag.**
- (5) **Any other legitimate use of slag.**

SECTION 2. IC 13-19-3-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 9. (a) The board may not adopt rules after July 1, 2001, under section 1 of this chapter to regulate any of the following legitimate reuses of foundry slag under the conditions of this section:**

- (1) **Structural fill in the following:**
 - (A) **Road base.**
 - (B) **Road shoulders.**
 - (C) **Parking lots.**
 - (D) **Floor slabs.**
 - (E) **Utility trenches.**
 - (F) **Bridge abutments.**
 - (G) **Tombs and vaults.**
 - (H) **Construction or architectural fill.**
 - (I) **Railroad ballast.**
 - (J) **Unpaved roads, driveways, or walkways.**
 - (K) **Recreational trails.**
 - (L) **Berms.**
 - (M) **Construction base material.**
- (2) **Snow and ice abrasive.**
- (3) **A raw material in manufacturing iron, steel, glass, concrete, cement, brick, asphalt, mineral wool, or other**

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products.

(4) Other legitimate uses approved by the commissioner.

(b) To be used as described in subsection (a), slag must:

(1) not be a hazardous waste (as defined in IC 13-11-2-99(b));

(2) meet the appropriate engineering specifications required for the use;

(3) meet Type III criteria under 329 IAC 10-9, except that:

(A) the requirement for measurement of pH is not included in the testing; and

(B) the Synthetic Precipitation Leaching Procedure may be used as an alternative method; and

(4) be stored in a manner that complies with all applicable environmental laws and rules concerning:

(A) surface water run-off; and

(B) fugitive dust."

and when so amended that said bill do pass.

(Reference is to SB 226 as printed February 14, 2001.)

WEINZAPFEL, Chair

Committee Vote: yeas 9, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 226 be amended to read as follows:

Page 2, line 27, after "(3)" insert "**except for a use described in subsection (a)(3),**".

Page 2, line 34, delete "run-off;" and insert "**runoff;**".

(Reference is to ESB 226 as printed April 6, 2001.)

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